

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JULIO GALARZA, VICTOR CONTRERAS,
SILVESTRE CASTILLO, GILBERTO UBILLUZ,
JOSE RAMIREZ, MIGUEL VASQUEZ, and
RODOLFO CUADROS, on behalf of themselves and all
other persons similarly situated,

Docket No.: 18-cv-01380
(ADS) (ARL)

Plaintiffs,

-against-

HYDRO ENVIRONMENTAL CONTRACTING,
CORP d/b/a ENVIRO DRILLING & CONTRACTING
INC., HYDRO TECH ENVIRONMENTAL CORP.,
HYDRO TECH ENVIRONMENTAL ENGINEERING
AND GEOLOGY, D.P.C., MOSTAFA EL SEHAMY,
MARK E. ROBBINS, TAREK Z. KHOURI,
HAKS ENGINEERS, ARCHITECTS AND LAND
SURVEYORS, D.P.C. and LANGAN ENGINEERING
AND ENVIRONMENTAL SERVICES, INC.,

Defendants.

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COURT AUTHORIZED NOTICE OF LAWSUIT

If you worked for Hydro Environmental Contracting, Corp. d/b/a Enviro Drilling & Contracting Inc., Hydro Tech Environmental Corp., Hydro Tech Environmental Engineering and Geology, D.P.C., (collectively “Defendants”) between March 6, 2012 and the present, a collective action lawsuit may affect your legal rights.

*Important: You are NOT being sued. This Notice is NOT a solicitation from a lawyer.
The Court authorized this Notice.*

- Plaintiffs, Julio Galarza, Victor Contreras, Silvestre Castillo, Gilberto Ubilluz, Jose Ramirez, Miguel Vasquez and Rodolfo Cuadros (collectively as “Plaintiffs”) are former employees of the Defendants, where they worked as field technicians. Plaintiffs brought this lawsuit against Defendants on behalf of himself and all other potential, current, and former field technicians and other similarly situated persons employed by the Defendants as of March 6, 2012 through the present. Plaintiffs claim that Defendants did not pay their hourly employees all overtime compensation due to them.

Defendants deny any wrongdoing and/or liability and maintain that all of their employees are paid in compliance with federal and state overtime laws.

- THIS NOTICE AND ITS CONTENTS HAVE BEEN AUTHORIZED BY THE UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF NEW YORK. THE COURT HAS TAKEN NO POSITION IN THIS CASE REGARDING THE MERITS OF THE PLAINTIFFS' CLAIMS OR OF THE DEFENDANTS' DEFENSES.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT	
ASK TO BE INCLUDED	If you choose to be included in this collective action, you will be bound by any ruling, settlement or judgment in this case. You may also share in any proceeds from a settlement or judgment if those bringing the claims are successful. If you choose to be included you will give up any rights to separately sue the Defendants about the same legal claims in this lawsuit.
DO NOTHING	By doing nothing, you will not be included in this lawsuit for the purpose of asserting an overtime claim under federal law. This means that you give up the possibility of getting money or benefits that may come from a trial or settlement of the overtime claim under federal law asserted in this lawsuit, if those bringing the lawsuit are successful.

1. Why did I get this notice?

You are getting this notice because Defendants' records show that you may have worked as a field technician or in a similarly-situated position for Defendants at some point from March 6, 2012 to the present. Plaintiffs sued the Defendants claiming they violated various provisions of federal and state overtime laws.

2. What is a collective action and who is involved?

In a collective action lawsuit, one or more persons can bring a lawsuit on behalf of others who have similar claims. The individuals who brought this lawsuit are called the Plaintiffs. The corporate entities and individuals that they have sued are called the Defendants. One Court resolves the issues for everyone who decides to join the case.

3. What is this collective action and who is involved?

This collective action lawsuit is about whether Defendants' compensation practices violate federal overtime law. The lawsuit alleges that Defendants violated federal and state laws by not paying Plaintiffs and other similarly-situated employees overtime compensation owed to them. Plaintiffs are seeking to recover unpaid wages, in addition to liquidated damages, attorneys' fees, and costs.

Defendants deny any wrongdoing and/or liability and maintain that all of their employees were and continue to be paid in accordance with federal and state overtime laws.

4. How do I join this collective action lawsuit?

To participate in this lawsuit through the Plaintiffs' attorney, you must fill out the enclosed form called "Consent to Join" and mail it in the enclosed, postage-paid envelope to Plaintiffs' lawyers. Should the enclosed envelope be lost or misplaced, the "Consent to Join" Form must be sent to:

Law Office of Peter A. Romero PLLC
Re: Enviro Drilling & Contracting Inc.
825 Veterans Highway
Hauppauge, New York 11788

You can also scan and email it to: promero@romerolawny.com

The signed "Consent to Join" form must be postmarked, faxed, or e-mailed by [60 days from mailing of notice]. If your signed "Consent to Join" form is not postmarked, faxed, or e-mailed by [60 days from mailing of notice], you may not be allowed to participate in the federal law portion of this lawsuit.

You have a right to be represented by your own attorney, but you will be responsible for making arrangements for payment of the fees of the attorney you select. The attorney you hire must file with the court a "Consent to Join" form by [60 days from mailing of notice] and must enter a formal appearance as attorney on your behalf.

5. What happens if I join the collective action lawsuit?

You will be bound by any ruling, settlement, or judgment, whether favorable or unfavorable. If there is a favorable resolution, either by settlement or judgment, and you qualify under the law, you will be entitled to some portion of the recovery.

If you join this lawsuit and send your "Consent to Join" form to the Law Office of Peter A. Romero PLLC, you agree to have the Plaintiffs and their counsel act as your representative and make decisions on your behalf concerning the case, including approving any settlement. Decisions made and agreements entered into by the Plaintiffs and their counsel will be binding on you if you join this lawsuit, subject only to the Court's discretion. If you hire your own attorney, you will be bound by decisions and agreements that your attorney makes on your behalf in this lawsuit.

If you join this lawsuit, you may be asked to give testimony and information about your work for Defendants to help the Court decide whether you are owed any money. Plaintiffs' counsel will assist you with this process. For this reason, if you join this lawsuit, you should preserve all documents relating to your employment currently in your possession.

6. What happens if I do nothing at all?

You will not be included in this lawsuit for the purpose of asserting an overtime claim under federal law. Therefore, you will not be entitled to any recovery in this case should there be any for those claims. The limitations period on your claims continues to run.

7. If I join, will there be any impact on my employment?

The law prohibits Defendants from discharging or retaliating against you because you join this case or have in any other way exercised your rights under the law.

8. Do I have a lawyer in this case?

Plaintiffs are represented by the Law Office of Peter A. Romero PLLC. If you join by sending your opt-in to the Plaintiffs' attorney, the Law Office of Peter A. Romero PLLC will represent you on a contingency fee basis, meaning you will not owe any attorneys' fees unless you are successful and win the case, or obtain a settlement.

9. Do the Defendants have a lawyer in this case?

The Defendants in this case are represented by Andrew K. Martingale of Hamburger, Maxson, Yaffe & McNally, LLP and Jeffrey Ettenger, Esq. of Schwartz Ettenger, PLLC.

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CONSENT TO JOIN

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IF YOU RECEIVED THIS FORM AND WANT TO JOIN THIS LAWSUIT, PLEASE
COMPLETE THESE TWO STEPS:

1. COMPLETE AND SIGN THIS CONSENT TO JOIN LAWSUIT FORM; AND
2. USE THE ENCLOSED ENVELOPE TO RETURN THIS FORM TO THE ADDRESS
BELOW NOT LATER THAN [60 days from mailing of notice].

Law Office of Peter A. Romero PLLC
Re: Enviro Drilling & Contracting Inc.
825 Veterans Highway
Hauppauge, New York 11788

YOU CAN ALSO SCAN AND EMAIL IT TO: promero@romerolawny.com

I consent to join the collective action and authorize the Law Office of Peter A. Romero PLLC to act on my behalf in all matters relating to this action, including any settlement of my claims.

SIGNATURE

PRINT NAME

Address

City, State, Zip Code

Telephone Number

Email Address

Start Date

End Date